

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 THOMAS RAY WOODSON,

No. C 07-4925 CW (PR)

4 Plaintiff,

ORDER REFERRING CASE TO
FEDERAL PRO BONO PROJECT;
APPOINTING COUNSEL; AND
SETTING CASE MANAGEMENT
CONFERENCE

5 v.

6 J. RODRIGUEZ, et al.,

7 Defendants.

8 _____ /

9 The Court having determined that it would be beneficial to
10 have counsel assist Plaintiff in this matter and having located
11 volunteer counsel willing to be appointed to represent Plaintiff,

12 IT IS HEREBY ORDERED that Plaintiff's excessive force claim
13 against Defendants Rodriguez, Camarena, Parra, Vega and Kircher
14 shall be referred to the Court's Federal Pro Bono Project, and that
15 Catharine Baker, Esq. (SBN 210011) and Matthew Kreeger, Esq. (SBN
16 153793) of Morrison & Foerster is appointed as counsel for
17 Plaintiff in this matter pursuant to 28 U.S.C. § 1915(e)(1) and the
18 Court's Federal Pro Bono Project guidelines.

19 The Clerk of the Court shall send a copy of this Order to Ms.
20 Baker at Morrison & Foerster, 425 Market Street, San Francisco,
21 California 94101-2492. The Clerk of the Court shall also send a
22 copy of this Order to Plaintiff, and to Defendants' counsel.

23 IT IS FURTHER ORDERED THAT a case management conference will
24 be held on May 11, 2010, at 2:00 p.m. The parties must submit a
25 joint Case Management Conference Statement no later than seven (7)
26 days prior to the Case Management Conference that complies with the
27 attached Standing Order for All Judges of the Northern District of
28 California and the Standing Order of this Court.

1 In light of the appointment of counsel, Plaintiff's pending
2 motion to compel discovery (docket no. 58) is DENIED WITHOUT
3 PREJUDICE to refiling by counsel if counsel deems it advisable.

4 This Order terminates Docket no. 58.

5 IT IS SO ORDERED.

6 DATED: 4/30/2010



7 CLAUDIA WILKEN
United States District Judge

1 **STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF**
2 **CALIFORNIA**3 **CONTENTS OF JOINT CASE MANAGEMENT STATEMENT**

4 Commencing March 1, 2007, all judges of the Northern District of
5 California require the identical information in Joint Case
6 Management Statements filed pursuant to Civil Local Rule 16-9. The
7 parties must include the following information in their statement
8 which, except in unusually complex cases, should not exceed ten
9 pages:

- 10 1. Jurisdiction and Service: The basis for the court's subject
11 matter jurisdiction over
12 plaintiff's claims and defendant's counterclaims, whether any
13 issues exist regarding personal jurisdiction or venue, whether any
14 parties remain to be served, and, if any parties remain to be
15 served, a proposed deadline for service.
- 16 2. Facts: A brief chronology of the facts and a statement of the
17 principal factual
18 issues in dispute.
- 19 3. Legal Issues: A brief statement, without extended legal
20 argument, of the disputed points
21 of law, including reference to specific statutes and decisions.
- 22 4. Motions: All prior and pending motions, their current status,
23 and any anticipated motions.
- 24 5. Amendment of Pleadings: The extent to which parties, claims,
25 or defenses are expected to be added or dismissed and a proposed
26 deadline for amending the pleadings.
- 27 6. Evidence Preservation: Steps taken to preserve evidence
28 relevant to the issues reasonably evident in this action, including
29 interdiction of any document-destruction program and any ongoing
30 erasures of e-mails, voice mails, and other electronically-recorded
31 material.
- 32 7. Disclosures: Whether there has been full and timely compliance
33 with the initial disclosure requirements of Fed. R. Civ. P. 26 and
34 a description of the disclosures made.
- 35 8. Discovery: Discovery taken to date, if any, the scope of
36 anticipated discovery, any proposed limitations or modifications of
37 the discovery rules, and a proposed discovery plan pursuant to Fed.
38 R. Civ. P. 26(f).
- 39 9. Class Actions: If a class action, a proposal for how and when
40 the class will be certified.
- 41 10. Related Cases: Any related cases or proceedings pending before
42 another judge of this court, or before another court or
43 administrative body.

- 1 11. Relief: All relief sought through complaint or counterclaim, including the amount of any damages sought and a description of the bases on which damages are calculated. In addition, any party from whom damages are sought must describe the bases on which it contends damages should be calculated if liability is established.
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- 3
- 4 12. Settlement and ADR: Prospects for settlement, ADR efforts to date, and a specific ADR plan for the case, including compliance with ADR L.R. 3-5 and a description of key discovery or motions necessary to position the parties to negotiate a resolution.
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- 6 13. Consent to Magistrate Judge For All Purposes: Whether all parties will consent to have a magistrate judge conduct all further proceedings including trial and entry of judgment.
- 7
- 8
- 9 14. Other References: Whether the case is suitable for reference to binding arbitration, a special master, or the Judicial Panel on Multidistrict Litigation.
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- 11 15. Narrowing of Issues: Issues that can be narrowed by agreement or by motion, suggestions to expedite the presentation of evidence at trial (e.g., through summaries or stipulated facts), and any request to bifurcate issues, claims, or defenses.
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- 13 16. Expedited Schedule: Whether this is the type of case that can be handled on an expedited basis with streamlined procedures.
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- 15 17. Scheduling: Proposed dates for designation of experts, discovery cutoff, hearing of dispositive motions, pretrial conference and trial.
- 16
- 17 18. Trial: Whether the case will be tried to a jury or to the court and the expected length of the trial.
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- 19 19. Disclosure of Non-party Interested Entities or Persons: Whether each party has filed the "Certification of Interested Entities or Persons" required by Civil Local Rule 3-16. **In addition**, each party must restate in the case management statement the contents of its certification by identifying any persons, firms, partnerships, corporations (including parent corporations) or other entities known by the party to have either: (i) a financial interest in the subject matter in controversy or in a party to the proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the proceeding.
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- 24 20. Such other matters as may facilitate the just, speedy and inexpensive disposition of this matter.
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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 THOMAS RAY WOODSON,

5 Plaintiff,

6 v.

7 J. RODRIGUEZ et al,

8 Defendant.
9 _____ /

Case Number: CV07-04925 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 30, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Thomas Ray Woodson P-76095
"C" Facility Calipatria State Prison
Calipatria, CA 92253

Catharine Baker, Esq.
Morrison & Foerster
425 Market Street
San Francisco, CA 94101-2492

Jose Alfonso Zelidon-Zepeda
Department of Justice
455 Golden Gate Avenue
Suite 11000
San Francisco, CA 94102

Dated: April 30, 2010

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk